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SENATE BILL 6330

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State of Washington                      60th Legislature                      2008 Regular Session

By Senators McCaslin and Kohl-Welles

Read first time 01/15/08. Referred to Committee on Judiciary.

1            AN ACT Relating to juror compensation; and amending RCW 2.36.150,  
2            3.50.135, and 35.20.090.

3            BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 2.36.150 and 2006 c 372 s 903 are each amended to read  
5            as follows:

6            Jurors shall receive for each day's attendance, besides mileage at  
7            the rate determined under RCW 43.03.060, the following expense  
8            payments:

9            (1) Grand jurors may receive up to (~~twenty-five~~) sixty-five  
10            dollars but in no case less than (~~ten~~) fifty dollars;

11            (2) Petit jurors may receive up to (~~twenty-five~~) sixty-five  
12            dollars but in no case less than (~~ten~~) fifty dollars;

13            (3) Coroner's jurors may receive up to (~~twenty-five~~) sixty-five  
14            dollars but in no case less than (~~ten~~) fifty dollars;

15            (4) District court jurors may receive up to (~~twenty-five~~)  
16            sixty-five dollars but in no case less than (~~ten~~) fifty dollars(~~(÷~~  
17            ~~PROVIDED, That~~));

18            (5) The state shall fully reimburse the county for the juror  
19            compensation required under this section.

1        However, a person excused from jury service at his or her own  
2 request shall be allowed not more than a per diem and such mileage, if  
3 any, as to the court shall seem just and equitable under all  
4 circumstances(~~(+ PROVIDED FURTHER, That)~~). The state shall fully  
5 reimburse the county in which trial is held for all jury fees and  
6 witness fees related to criminal cases which result from incidents  
7 occurring within an adult or juvenile correctional institution(~~(+  
8 PROVIDED FURTHER, That the expense payments paid to jurors shall be  
9 determined by the county legislative authority and shall be uniformly  
10 applied within the county)~~)).

11        For the fiscal year ending June 30, 2007, jurors participating in  
12 pilot projects in superior, district, and municipal courts may receive  
13 juror fees of up to sixty-two dollars for each day of attendance in  
14 addition to mileage reimbursement at the rate determined under RCW  
15 43.03.060.

16        **Sec. 2.** RCW 3.50.135 and 1984 c 258 s 126 are each amended to read  
17 as follows:

18        In all civil cases, the plaintiff or defendant may demand a jury,  
19 which shall consist of six citizens of the state who shall be impaneled  
20 and sworn as in cases before district courts, or the trial may be by a  
21 judge of the municipal court: PROVIDED, That no jury trial may be held  
22 on a proceeding involving a traffic infraction. A party requesting a  
23 jury shall pay to the court a fee which shall be the same as that for  
24 a jury in district court. If more than one party requests a jury, only  
25 one jury fee shall be collected by the court. The fee shall be  
26 apportioned among the requesting parties. Each juror may receive up to  
27 (~~twenty-five~~) sixty-five dollars but in no case less than (~~ten~~)  
28 fifty dollars for each day in attendance upon the municipal court, and  
29 in addition thereto shall receive mileage at the rate determined under  
30 RCW 43.03.060(~~(+ PROVIDED, That the compensation paid jurors shall be  
31 determined by the legislative authority of the city and shall be  
32 uniformly applied)~~). The state shall fully reimburse the city for the  
33 juror compensation required under this section. Jury trials shall be  
34 allowed in all criminal cases unless waived by the defendant.

35        **Sec. 3.** RCW 35.20.090 and 1987 c 202 s 195 are each amended to  
36 read as follows:

1        In all civil cases and criminal cases where jurisdiction is  
2 concurrent with district courts as provided in RCW 35.20.250, within  
3 the jurisdiction of the municipal court, the plaintiff or defendant may  
4 demand a jury, which shall consist of six citizens of the state who  
5 shall be impaneled and sworn as in cases before district courts, or the  
6 trial may be by a judge of the municipal court: PROVIDED, That no jury  
7 trial may be held on a proceeding involving a traffic infraction. A  
8 defendant requesting a jury shall pay to the court a fee which shall be  
9 the same as that for a jury in district court. Where there is more  
10 than one defendant in an action and one or more of them requests a  
11 jury, only one jury fee shall be collected by the court. Each juror  
12 may receive up to (~~twenty-five~~) sixty-five dollars but in no case  
13 less than (~~ten~~) fifty dollars for each day in attendance upon the  
14 municipal court, and in addition thereto shall receive mileage at the  
15 rate determined under RCW 43.03.060(~~PROVIDED, That the compensation~~  
16 ~~paid jurors shall be determined by the legislative authority of the~~  
17 ~~city and shall be uniformly applied~~). The state shall fully reimburse  
18 the city for the juror compensation required under this section. Trial  
19 by jury shall be allowed in criminal cases involving violations of city  
20 ordinances commencing January 1, 1972, unless such incorporated city  
21 affected by this chapter has made provision therefor prior to January  
22 1, 1972.

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